




**CITY OF AUSTIN**  
**Development**  
**SERVICES DEPARTMENT**

*Building a Better and Safer Austin Together*

**MEMORANDUM**

**TO:** Eduardo Longoria, President  
Shambala Corporation

**FROM:** Denise Lucas, Interim Director   
Development Services Department

**DATE:** May 10, 2019

**SUBJECT:** Response to Appeal of Suspension of Certificate of Occupancy for the School Cafeteria Located at 1701 Toomey Rd.

**CERTIFIED:** 7001 0360 0000 3565 5814

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In response to your appeal to the accountable official heard on May 8, 2019, I have decided to affirm the department's decision to suspend the certificate of occupancy for the school cafeteria at 1701 Toomey Rd. based on the failure to demonstrate that the suspension was improperly issued and the failure to demonstrate that the statements of facts in the suspension notice are inaccurate.

The certificate of occupancy for the school cafeteria structure received under permits 1991-010757 BP and 1997-014303 BP was suspended on May 2, 2019, because the building violates provisions of Fire Code Section 503.1.1 (*Buildings and Facilities*) and Fire Code Section 503.2.1 (*Dimensions*). The aforementioned notice of suspension provides details of these violations.

The required actions to obtain compliance with the Fire Code listed in the notice of suspension issued on May 2, 2019, remain in effect. To remedy the violations, you must:

- Obtain a building permit for the installation of the fire sprinklers inside the school cafeteria building,
- Obtain and pass all necessary inspections from Development Services and Austin Fire Departments related to the installation of the fire sprinklers inside the school cafeteria building, and
- Complete construction of fire line and obtain all necessary inspections for plumbing permit 2019-000680.

As stated in the notice of suspension issued on May 2, 2019, if these actions are not completed by June 1, 2019, the certificate of occupancy will be revoked pursuant to City Code Section 25-1-416 (*Revocation after Suspension*).

While I understand that work has progressed toward obtaining compliance for the structure, I must uphold the Building Official's action to suspend the certificate of occupancy for the school cafeteria in light of the seriousness of the life safety issues which create a hazard for this building, adjacent structures, occupants, and emergency responders.

This decision is appealable to the Building and Fire Code Board of Appeals. If you wish to appeal this decision, please contact Rick Arzola at [rick.arzola@austintexas.gov](mailto:rick.arzola@austintexas.gov) or by phone at 512-974-2417 to initiate and schedule the appeal.

xc:     Stuart Hersh, consultant  
          Beth Culver, Building Official and Acting Assistant Director, Development Services Department  
          Chief Tom Vocke, Fire Marshal, Austin Fire Department  
          Brent Lloyd, Development Officer, Development Services Department  
          Daniel Word, Division Manager, Austin Code  
          Chief Bret Carr, Austin Fire Department  
          Matthew Noriega, Austin Code  
          J. Rodney Gonzales, Assistant City Manager  
          Rey Arellano, Assistant City Manager  
          Cora Wright, Director, Austin Code  
          Jose Roig, Assistant Director, Austin Code  
          Patricia Link, Assistant City Attorney, Austin Code  
          Andrew Linseisen, Assistant Director, Development Services Department